

Nebraska City
A G E N D A
City Council Meeting
July 5, 2016 - 6:00 p.m.
Call to Order

"I am required by law to inform the public that a copy of the Open Meetings Act is posted on the bulletin board to your right. This meeting is being recorded. If you wish to speak, come to the podium, state your name and address and speak directly towards the microphone the entire time you are addressing the governing body. Thank you".

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL**

CONSENT

3. Approve [minutes](#) from the June 20, 2016 City Council Meeting
4. Accepting the report of new claims against the City and approving disposition of claims set for the period of June 21, 2016 to July 5, 2016.
5. Approve [SDL for Bings Sports Bar](#) at the Nebraska City Softball Complex on August 12th and 13th, 2016 from 2:00 PM to 12:00 AM with an alternate date of August 14, 2016 from 9:00 PM to 12:00 PM.
6. Approve [SDL for McFarland Family Farms](#), LLC at Fox Center on September 17, 2016 from 9:00 AM to 7:00 PM.

PUBLIC HEARINGS

7. [Public hearing](#) to consider the use of \$35,000 of the LB840 Economic Development Loan Fund for the property at 416 Central Avenue.

NEW BUSINESS

8. Consideration of [Resolution 2709-16](#) and loan agreement to approve a LB840 Loan to Little Ted's Pub and Grill, LLC for \$35,000 and approve loan agreement.
9. Discussion/action with The [Kimmel Foundation](#) on maintenance or purchase agreement for the property at 8th Street and 3rd Corso known as "the triangle".
10. Discussion/action to request extension on #14-CIS-003 [project, Kearney Hill](#), from NDED.
11. Discussion/action on a 75/25 Hazard Mitigation Grant to purchase an emergency [backup generator](#) for the City Hall / Fire Station Building.
12. Discussion/action to set a special meeting date to discuss FY16-17 city budget.

ADJOURNMENT

Nebraska City
CITY OF NEBRASKA CITY, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
June 20, 2016

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Nebraska City was conducted in the William F. Davis Room at City Hall, 1409 Central Avenue, on June 20, 2016. Notice of the meeting was given in advance thereof by posting in at least three public places, the designated method for giving notice, as shown by the Certificate of Posting Notice attached to these minutes. Availability of the agenda was communicated in advance to the media, Mayor and Commissioners of this proceeding and said meeting was open to the public.

Mayor Bequette called the meeting to order at 6:00 p.m. The Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held. Mayor Bryan Bequette then led in the Pledge of Allegiance. Upon roll call the following answered present: Jim Stark, Jeff Crunk, Vic Johns, Gloria Glover and Mayor Bequette. Absent: None. The following City Officials were present: City Administrator Grayson Path, City Clerk-Treasurer Randy Dunster, City Attorney David Partsch, Library Director Rasmus Thøgersen and Construction and Facility Manager Marty Stovall.

Mayor Bequette recognized Marty Stovall as the new Construction and Facility Manager for Nebraska City and listed Marty's accomplishments. Marty has lived in Nebraska City for 48 years, graduated from Nebraska City High School, earned his Associates Degree in Building Construction Technology, has over 28 years of construction experience in both commercial and residential areas, experience in the insurance industry, a Veteran and serves on numerous clubs, boards and organization within the city.

Mayor Bequette pulled the approval of minutes from the June 6, 2016 City Council Meeting from the consent items for two corrections to be made.

Mayor Bequette moved to approve the following consent items:

Accepting the report of new claims against the City and approving disposition of claims set for the period of June 7, 2016 to June 20, 2016

Approve Tyson Hermann/Bing's Sports Bar SDL and use of the Sunken Parking lot for Applejack Beer Garden on Sep 17, 2016.

Approve the application for Electricians Registration to Work for Empire Electric, Inc.

Approve the application for Master Plumbers and Drain Layers License for Bryan R. Kennedy of 3145 South 44th Street Lincoln, NE 68506.

Motion seconded by Commissioner Johns. Upon roll call the following voted YES: Crunk, Glover, Stark, Johns and Mayor Bequette. Voting NO: None. Motion carried

CLAIMS LIST					
June 20, 2016					
ACCO	Chem	207.00	M.E. Collins	Constr	92,978.55
Alfred Benesch	Constr	16,510.23	Menards - Lincoln South	Donation Purch	189.94
Anderson, T.	Rfnd	25.00	Mercer's Do-It-Best	Sup	99.83
Arbor Mart, Inc	Fuel	1,917.29	Michael Todd and Co	Signs	416.11
AVAC	Contr	371.19	Miracle Mudjacking	Rep	20,407.10
Arrow Int'l	Sup	791.10	Midwest Turf and Irr	Sup	230.14
Auburn Newspapers	Adv	82.80	Mullenax Auto Supply	Brake Fluid	76.65
Bill Waters & Son	Rep	615.81	Napa Auto Parts	Sup	76.65

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Nebraska City

Bohl P & H	Rep	2.86	Nationwide	Inv	13,922.42
Bound Tree	Sup	769.68	NC Public School	Lic. Fee.	7,550.00
Brown's Shoe	Unif	200.00	NC Utilities	Util	6,776.10
BSN Sports	Maint	290.00	NE Environmental Prod	Rep	693.37
Callaway Golf	Mdse	227.85	NE Golf Assoc.	Misc.	18.00
Capital Bus. Sys.	Contr	90.66	NE Law Enforcement	Training	100.00
Card Services	Misc	2,016.52	North Star Construction	CDBG	9,389.65
Casey's	Fuel	48.39	Flagship Publishing Inc	Adv	315.00
Cede and Company	Principa.	82,006.25	O'Reilly Auto Parts	Rep	5.38
Coca-Cola-Linc	Bev	202.08	Otoe County Clerk	Election Fee	8,105.74
Consolidated Manag	Training	226.49	Payroll	Payroll	116134.2
Danko Emergency Equip	Rep	173.36	Pierce, S.	Rfnd	25.00
Diamond Vogel	Sup	668.00	River View Pest Control	Pst Cntrl	406.00
Don's Johns & Sept	Misc.	280.50	Quality Brands of Linc	Bev	290.20
Douglas Tire Co.	Rep	835.90	S Systems	Rep	110.00
Eakes Office Solutions	Sup	502.95	Sanchez, J.	Rfnd	25.00
EMS Billing Services, Inc	Contr	1,309.80	Self, H.	Fine Arts	772.42
Fareway Food	TIF	7,802.51	SEND	CDBG	4159.03
Fareway Stores	Concessions	1,194.21	Shell	Fuel	1,949.66
Fastenal Company	Rep	30.42	Shelter Home Service	Rfnd	100.00
Feld Fire	Rep	265.00	Spiral Communications	Tele	1,039.57
Ganzel, L	Rfnd	100.00	Stutheit Implement	Rep	90.80
Gatehouse Media	Adv	123.91	Syracuse Iron Works	Rfnd	25.00
Grimm's Gardens	Annuals	268.86	Sysco Lincoln	Concessions	4,324.97
Harberer, J.	Reim	321.59	Thompson's Astro	Rfnd	100.00
Hopkins Automotive Inc.	Rep	25.27	Thurman's Bike & Sport	Sup	109.00
Ideal Pure Water	Sup	127.85	Tielke's Sandwiches	Concessions	124.23
Jebro Inc.	Asphalt	1,029.88	Tuf Supply Co.	Chem	595.00
Johnny's Cycle	Rep	67.55	UHC	Ins	6341.15
K & Z Dist	Bev	48.40	Unifirst Corporation	Contr	165.18
Kreifels Electric L.L.C.	Rep	120.00	Van Wall Turf & Irr	Rep	39.81
Landis Engine Company	Rep	50.00	Verzion Wireless	Tele	14.04
Larson Motors	Rep	36.17	Westlake Ace	Sup	44.94
Lawn Barber	Mowing	360.00	Windstream, Inc.	Tele	1,402.57
Lind, K.	Rfnd	100.00	Wurtele, G.	Sup	57.83
Lybarger, D.	Rfnd	25.00			

Mayor Bequette motioned to reappointed Brooke Chaney to the Library Board. Commissioner Stark seconded the motion. Upon roll call the following voted YES: Crunk, Glover, Stark, Johns and Mayor Bequette. Voting NO: None. Motion carried

Treasurer's report was given, as of May 31, 2016, Total Nebraska City funds of \$9,521,691.57. Total Cash and Reserve for Nebraska City Utilities of \$16,170,399.79. Total City of Nebraska City and Utility funds \$25,692,091.36.

Council acknowledged receipt of City Administrator Report. Grayson Path spoke regarding his report.

Council acknowledged receipt of Utility Financial Report for period ending April 30, 2016.

Council acknowledged receipt of Utility Claims for period ending May 31, 2016

Moved by Mayor Bequette and seconded by Johns to approve the minutes from the June 6, 2016 City Council Meeting with amendments to include and correct Commissioner Johns vote on two items. Upon

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roll call the following voted YES: Crunk, Glover, Stark, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Stark and seconded by Glover to direct the City Attorney to get a price on the survey to vacate the right-of-way on the length of 4th Rue between 4th Terrace and 5th Terrace and get with the property owners to see what they would be willing to pay. Harvey Varenhorst and Ted Beilman spoke regarding the matter. Upon roll call the following voted YES: Crunk, Glover, Stark, Johns and Mayor Bequette. Voting NO: None. Motion carried.

City Council discussed appeal by Sam O'Neal over a ruling of the City Tree Board. Sam O'Neal and Rob Schreiner spoke to discuss the issue. After discussion, Sam O'Neal withdrew his appeal.

The discussion/action regarding use of a field at the softball complex for a benefit flag football event for Jerry Strong was tabled until a further date by the submitting party.

Moved by Commissioner Stark and seconded by Glover to approve Resolution 2707-16 Representative and/or Alternate Representative to MEAN Management Committee and Director and/or Alternate Director to MEAN Board of Directors. Upon roll call the following voted YES: Crunk, Glover, Stark, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Stark and seconded by Johns to approve recommendation from the Board of Public Works to approve awarding bid to West Con for installation of pipeline valve modifications and two "Smart Pig Launching Stations." Upon roll call the following voted YES: Crunk, Glover, Stark, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Stark and seconded by Johns to approve Resolution 2708-16 to confirm prior approval of a \$12,500 rural business development grant from the USDA rural development grant program for the Memorial Building renovation planning. Ted Beilman spoke regarding the request. Upon roll call the following voted YES: Crunk, Glover, Stark, Johns and Mayor Bequette. Voting NO: None. Motion carried.

City Administrator Grayson Path lead the discussion on the Emerald Ash Borer and potential actions to be taken. Rob Schreiner City Arborist spoke regarding the issue.

Moved by Commissioner Johns and seconded by Mayor Bequette to approve action to direct SENDD and City Administrator to pursue completion of the NDED Comprehensive Development Application. Upon roll call the following voted YES: Glover, Stark, Johns and Mayor Bequette. Voting NO: Crunk. Motion carried.

City Administrator Grayson Path lead the discussion on Fiscal Year 2016/2017 Budget and action to set first special budget meeting.

Meeting Adjourned at 7:20 P.M.

AFFIDAVIT

I, the undersigned City Clerk for the City of Nebraska City, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Board of Commissioners, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form. City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City

and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Randy A. Dunster, City Clerk-Treasurer

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Nebraska City

**APPLICATION FOR SPECIAL
DESIGNATED LICENSE**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov/

RETAIL LICENSE HOLDERS ☒

DO YOU NEED POSTERS? YES ☒ NO ☐

NON PROFIT APPLICANTS ☐

Non Profit Status (check one that best applies)

Municipal ☐ Political ☐ Fine Arts ☐ Fraternal ☐ Religious ☐ Charitable ☐ Public Service ☐

COMPLETE ALL QUESTIONS

1. Type of alcohol to be served and/or consumed: Beer ☒ Wine ☐ Distilled Spirits ☐

2. Liquor license number and class (i.e. C-55441)
(If you're a nonprofit organization leave blank)

I - 102,374

3. Licensee name (last, first,), corporate name or limited liability company (LLC) name
(As it reads on your liquor license)

NAME: Hermann, Tyson - Bings Sports Bar

ADDRESS: 704 Central Ave

CITY Nebraska City, NE ZIP 68410

4. Location where event will be held; name, address, city, county, zip code

BUILDING NAME Nebraska City Softball Complex

ADDRESS: 1900 Frontage Road CITY Nebraska City

ZIP 68410 COUNTY and COUNTY# Otoe

a. Is this location within the city/village limits?

YES ☒ NO ☐

b. Is this location within the 150' of church, school, hospital or home
for aged/indigent or for veterans and/or wives?

YES ☐ NO ☒

c. Is this location within 300' of any university or college campus?

YES ☐ NO ☒

Nebraska City

5. Date(s) and Time(s) of event (no more than six (6) **consecutive** days on one application)

Date <u>8/12/2016</u> Hours From <u>2:00 pm</u> To <u>midnight</u>	Date <u>8/13/2016</u> Hours From <u>8:00 am</u> To <u>midnight</u>	Date <u>/</u> Hours From <u>/</u> To <u>/</u>	Date <u>/</u> Hours From <u>/</u> To <u>/</u>	Date <u>/</u> Hours From <u>/</u> To <u>/</u>	Date <u>/</u> Hours From <u>/</u> To <u>/</u>
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- a. Alternate date: 8/14/2016 from 9am to midnight
b. Alternate location: None
(Alternate date or location must be specified in local approval)

6. Indicate type of activity to be carried on during event:

☐ Dance ☐ Reception ☒ Fund Raiser ☒ Beer Garden ☐ Sampling/Tasting
Other N/A

7. Description of area to be licensed

Inside building, dimensions of area to be covered **IN FEET** N/A x N/A
(not square feet or acres)

*Outdoor area dimensions of area to be covered **IN FEET** 400 ft x 700 ft

*SKETCH OF OUTDOOR AREA (or attach copy of sketch) (sample sketch)

see attached

If outdoor area, how will premises be enclosed?

☐ Fence; ☒ snow fence ☒ chain link ☐ cattle panel
☐ Tent
☐ other _____

8. How many attendees do you expect at event? 150 +

9. If over 150 attendees. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages. (Attach separate sheet if needed)

ID's will be checked at gate, we then will band everyone using budlight for adults and a solid color for minors. We will have security patrolling the premises.

10. Will premises to be covered by license comply with all Nebraska sanitation laws? YES ☒ NO ☐

- a. Are there separate toilets for both men and women? YES ☒ NO ☐

Nebraska City

11. **Retailer:** Will you be purchasing your alcohol from a wholesaler? YES ☒ NO ☐
Non-Profit: Where will you be purchasing your alcohol?

Wholesaler _____ Retailer _____ Both _____ BYO _____
(includes wineries)

12. Will there be any games of chance operating during the event? YES ☐ NO ☒

If so, describe activity N/A

NOTE: Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law: There are no exceptions for Non Profit Organizations or any events raising funds for a charity. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application.

13. Any other information or requests for exemptions: No

14. Name and **telephone number/cell phone number** of immediate **supervisor**. This person will be at the location of the event when it occurs, able to answer any questions from Commission and/or law enforcement before and during the event, and who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to. **PLEASE PRINT LEGIBLY**

Print name of Event Supervisor Tracy Ottens

Signature of Event Supervisor Tracy Ottens

Event Supervisor phone: Before 402-209-0419 During 402-209-0419

Email address +tyson72@hotmail.com

Consent of Authorized Representative/Applicant

15. I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

sign
here

Tyson Hermann
Authorized Representative/Applicant

owner
Title

6-28-16
Date

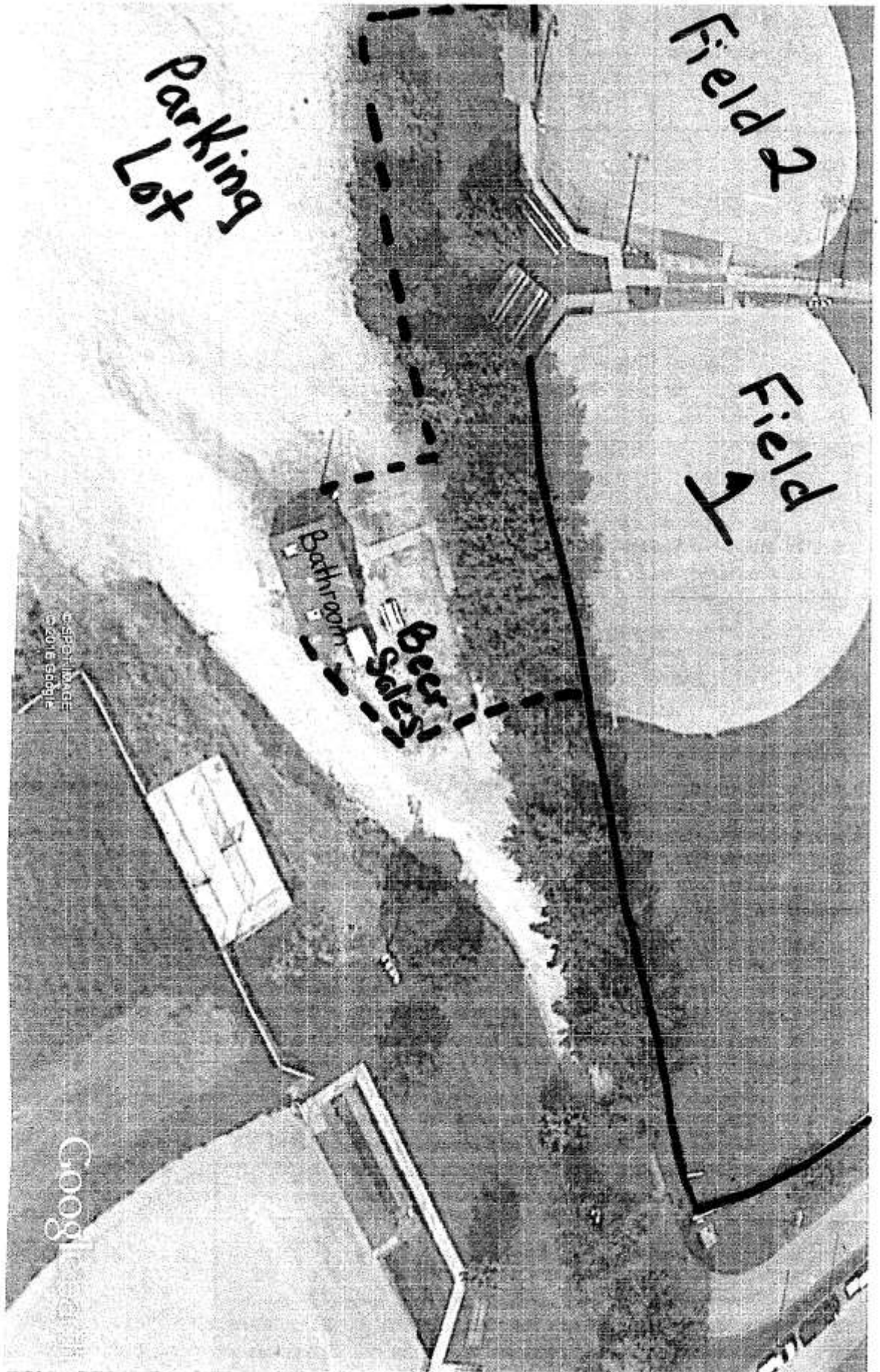
Tyson Hermann
Print Name

This individual must be listed on the application as an officer or stockholder unless a letter has been filed appointing an individual as the catering manager allowing them to sign all SDL applications.

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the city or village within which the particular place for which the special designated license is requested is located, or if such place is not within the corporate limits of a city or village, then the local governing body shall be the county within which the place for which the special designated license is requested is located.

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- Chain Link Fence
- - - Snow Fence





City of Nebraska City

1409 Central Avenue
Nebraska City, NE 68410-2223

HOME OF ARBOR DAY

Phone: 402-873-5515 Fax: 402-873-5685

REQUEST FOR COUNCIL AGENDA OR PUBLIC INFORMATION / RECORDS

*Your request will be reviewed and possibly scheduled for a future meeting,
or forwarded to City Staff for appropriate action **

Name: Barry McFarland
Address: 43315 Rd. 757, Lexington, NE 68850
Phone #: (308) 324-0440
Email Address: barry@macscreekvineyards.com

CC: Police Dept.: Street Dept.: Park Dept.: Other:

Item Title:

Explanation of Request:

Application for a Special Designated License to serve tastings and off sale of wine at the Apple Jack Festival September 17th & 18th. Booth for tasting and sales to be located at the Fox Center.

Action Requested of Council:

Approval of Special Designated License per the Nebraska Liquor Control Commission.

Will this item require the expenditure of funds? Yes: ☐ No: ☒ Estimate \$

Council meetings are held on the 1st & 3rd Mondays of the month. All requests for inclusion on a Council Meeting Agenda must be submitted by 5 P.M. on the Tuesday preceding the Council meeting. Once a request is received, staff will review it and determine if it requires Mayor/Council action, or if the item can be handled by staff.
***You will be notified as to how your request will be handled as soon as possible.**

For staff use only: Action Required.

Examination of Public Records are covered under Neb. Rev. State. §84-712 or other appropriate state statutes.

Fees: \$0.25 per page

Nebraska City

**APPLICATION FOR SPECIAL
DESIGNATED LICENSE**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov/
Email Applications: michelle.porter@nebraska.gov

DO YOU NEED POSTERS? YES ☒ NO ☐

NON PROFIT APPLICANTS

(Check one that best applies)

Municipal ☐ Political ☐ Fine Arts ☐ Fraternal ☐ Religious ☐ Charitable ☐ Public Service ☐

LIQUOR LICENSE HOLDERS

Liquor license number and class (i.e. C-055441)

YK-56229

COMPLETE ALL QUESTIONS

1. Type of alcohol to be served and/or consumed: Beer ☐ Wine ☒ Distilled Spirits ☐

2. Licensee name (last, first,), corporate name or limited liability company (LLC) name
(As it reads on your liquor license)

NAME: McFarland Family Farms, LLC

ADDRESS: 43315 Rd. 757

CITY Lexington ZIP 68850

3. Location where event will be held; name, address, city, county, zip code

BUILDING NAME Fox Center

ADDRESS: 412 Central Ave. CITY Nebraska City

ZIP 68410 COUNTY and COUNTY # Otoe #11

a. Is this location within the city/village limits? YES ☒ NO ☐

b. Is this location within the 150' of church, school, hospital or home
for aged/indigent or for veterans and/or wives? YES ☐ NO ☒

c. Is this location within 300' of any university or college campus? YES ☐ NO ☒

Nebraska City

4. Date(s) and Time(s) of event (no more than six (6) **consecutive** days on one application)

Date 09/17/16	Date 09/18/16	Date	Date	Date	Date
Hours	Hours	Hours	Hours	Hours	Hours
From 9am	From 11am	From	From	From	From
To	To	To	To	To	To
7pm	4pm				

- a. Alternate date: _____
- b. Alternate location: _____
(Alternate date or location must be specified in local approval)

5. Indicate type of activity to be carried on during event:

Dance____ Reception____ Fund Raiser____ Beer Garden____ Sampling/Tasting x

Other OFF Sale (Wine Only)

6. Description of area to be licensed

Inside building, dimensions of area to be covered **IN FEET** 48' x 124'
(not square feet or acres)

*Outdoor area dimensions of area to be covered **IN FEET** x

***SKETCH OF OUTDOOR AREA (or attach copy of sketch) (sample sketch)**

If outdoor area, how will premises be enclosed?

____ Fence; ~~x~~ snow fence ~~x~~ chain link ~~x~~ cattle panel
____ other _____

____ Tent

7. How many attendees do you expect at event? 500

8. If over 150 attendees. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages. (Attach separate sheet if needed)

Attendees will be asked to provide ID by Mac's Creek Winery staff before being served.

9. Will premises to be covered by license comply with all Nebraska sanitation laws? YES x NO ~~x~~

- a. Are there separate toilets for both men and women? YES x NO ~~x~~

Nebraska City

10. Where will you be purchasing your alcohol?

Wholesaler _____ Retailer _____ Both _____ BYO X
(Includes wineries)

11. Will there be any games of chance operating during the event? YES X NO X

If so, describe activity _____

NOTE: Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law. There are no exceptions for Non Profit Organizations or any events raising funds for a charity. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application.

12. Any other information or requests for exemptions: _____

13. Name and telephone number/cell phone number of immediate supervisor. This person will be at the location of the event when it occurs, able to answer any questions from Commission and/or law enforcement before and during the event, and who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to. **PLEASE PRINT LEGIBLY**

Print name of Event Supervisor Theresa McFarland

Signature of Event Supervisor 

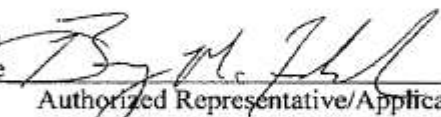
Event Supervisor phone: Before 308-324-0440 During 308-325-5807

Email address theresa@macscreekvineyards.com

Consent of Authorized Representative/Applicant

14. I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

sign
here


Authorized Representative/Applicant

CoOwner/Business Director 06/20/16

Title

Date

Barry McFarland

Print Name

This individual must be listed on the application as an officer or stockholder unless a letter has been filed appointing an individual as the catering manager allowing them to sign all SDL applications.

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the city or village within which the particular place for which the special designated license is requested is located, or if such place is not within the corporate limits of a city or village, then the local governing body shall be the county within which the place for which the special designated license is requested is located.

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Nebraska City

**NOTICE OF PUBLIC HEARING
AND
Notice of Intent to Use Program Income
in the Nebraska City LB840 Economic Development Loan Fund**

NOTICE IS HEREBY GIVEN THAT, on Tuesday, July 5, at **6:00 P.M.**, at the Council Chambers in City Hall, 1409 Central Ave., Nebraska City, Nebraska, the City Council of Nebraska City, Nebraska, will hold a **Public Hearing** concerning the use of **\$35,000.00** of Program Funds accumulated from the collection of funds through the local municipal options sales tax (LB840).

The proposed use of Program funds is for a loan for the property at **416 Central Avenue** to assist in purchasing kitchen equipment and operating budget/taxes for business development. This project will have an anticipated project investment of over \$70,000. There will be no displacement of persons as a result of this activity.

All interested persons are invited to attend the public hearing to speak in favor or in opposition to the proposed use of Program Funds. If there are questions regarding the plan to utilize these funds, please contact: Dan Mauk, Economic Development Loan Fund Administrator at (402) 873-4293.

Individuals requiring physical or sensory accommodations, including interpreter service, braille, large print or recorded materials, please contact Randy Dunster, City Clerk, City Hall, 1409 Central Ave., Nebraska City, Nebraska, 68410, (402) 873-5515, no later than 12:00 noon, on Friday, July 1, 2016.

Randy Dunster, City Clerk

TO BE PUBLISHED JUNE 10TH PAPER

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City
CITY OF NEBRASKA CITY ECONOMIC DEVELOPMENT PROGRAM

LOAN CONDITIONS
For
“Little Ted’s Pub and Grill, LLC”

In consideration of financing for **“Little Ted’s Pub and Grill, LLC”** the following items describe the loan between **“Little Ted’s Pub and Grill, LLC”** and the **City of Nebraska City, Nebraska** (representing the City of Nebraska City Economic Development Program or LB840):

Included in the financing for **“Little Ted’s Pub and Grill, LLC”** will be a CITY OF NEBRASKA CITY ECONOMIC DEVELOPMENT PROGRAM (LB840) loan in the amount of \$35,000.00 with an interest rate of 2.75% fixed for a period of 5 years. The City’s standard form Promissory Note will describe payment obligations, which will include monthly payments of principal and interest.

Conditions of lending:

1. The funds will be used by the owners of **“Little Ted’s Pub and Grill, LLC”** to purchase the restaurant equipment and inventory currently owned by Cass County Keno d/b/a Kenotoe restaurant in Nebraska City. In addition to purchasing equipment and inventory, funds may be used as operating capital in order to assist Little Ted’s with the early stages of operation.
2. The City shall pay the total sum of \$35,000.00 in a low-interest loan secured by a UCC financing statement on the business equipment specifically listed on Attachment A, attached hereto and incorporated fully herein.
3. Investment in the property will be over \$91,550 with a combination of company/personal equity and LB 840 funding.
4. Personal guaranties signed by the owners of **“Little Ted’s Pub and Grill, LLC”**.
5. Submission of Financial Statements for **“Little Ted’s Pub and Grill, LLC”** (Profit and Loss & Balance Sheet) to the Application Review Board after six months of operation and annually thereafter for the life of the loan.
6. Borrower shall obtain a signed five-year contract with Cass County Keno for Keno Operations in the business at 416 Central Avenue, Nebraska City.
7. Closing on the loan will occur as soon as reasonably practical, provided the City is in receipt of a fully executed Promissory Note; Personal Guarantees from all owners; and a fully executed Keno operator contract as described above.
8. Repayment of the loan shall begin August 1, 2016.
9. In the event of business closure or late payment, the unpaid balance of the note becomes due within 30 days.
10. Borrower agrees to adhere to City Ordinances in the operation of the business.

All the terms and provision of this agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns.

Costs for “Loan Closing” for the LB840 loan will be the responsibility of the borrower. These costs may *include, but will not be limited to* filing or recording fees.

The parties also agree to progress meetings and/or written reports as required in accordance with the conditions of the LB840 Citizens Advisory Review Committee. At a minimum an annual written report will be provided within 45 days of the end of the company’s fiscal year until the city loan is paid in full.

LITTLE TED’S PUB AND GRILL, LLC

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Nebraska City

Justin Cunningham, Member

Ted Cunningham, Member

THE CITY OF NEBRASKA CITY,
STATE OF NEBRASKA,

BY _____
Bryan Bequette, Mayor

ATTEST:

Randy Dunster, City Clerk-Treasurer

Nebraska City

RESOLUTION NO. 2709-16

TO USE PROGRAM FUNDS FROM THE CITY OF NEBRASKA CITY ECONOMIC DEVELOPMENT PROGRAM (LB840)

WHEREAS, the **City of Nebraska City** has received Program Funds through the City of Nebraska City Economic Development Plan and,

WHEREAS, Program funds for Economic Development are allowed to be used for making funding awards to eligible businesses in accordance with the City of Nebraska City Economic Development Plan, program and governing regulations, and,

WHEREAS, the City of Nebraska City Economic Development Plan has previously been adopted, and,

WHEREAS, the Citizens Advisory Review Committee and Program Director have recommended approval of a loan application by an eligible business on a project with a total estimated cost of \$91,550, with \$35,000 sought through the Economic Development Program and the remainder through private investment,

WHEREAS, the City Council of Nebraska City conducted a public hearing upon the proposed use of Economic Development Program funds,

NOW, THEREFORE, BE IT RESOLVED by the City Council of Nebraska City, that the obligation of funds is approved as recommended in the amount of \$35,000 in a low-interest loan, subject to conditions of the application and Loan Conditions Agreement, and the Mayor is hereby authorized to execute all necessary and appropriate documents on behalf of the City and the City of Nebraska City Economic Development Program to complete the project funding for “**Little Ted’s Pub and Grill, LLC**”, contingent upon approval of the City Attorney as to form.

Duly passed and adopted on the 5th day of July, 2016, by the City Council of Nebraska City.

Mayor

ATTEST: _____
City Clerk-Treasurer

Nebraska City

Equipment List

Kitchen	
Stove	\$ 8,000.00
Hood	\$ 12,000.00
Fridge	\$ 150.00
Freezer 1	\$ 2,600.00
Freezer 2	\$ 2,600.00
Slicer	\$ 300.00
Fryers (3)	\$ 1,800.00
Shelving	\$ 500.00
5' Stainless Table	\$ 200.00
Prep Table/Cooler	\$ 1,800.00
Dishwasher	\$ 1,500.00
6' Stainless Table	\$ 450.00
30" Stainless Table	\$ 200.00
Heat Lamp	\$ 150.00
Food Warmers (2)	\$ 1,000.00
Hand Sink	\$ 200.00
Microwaves (2)	\$ 1,000.00
Toaster	\$ 200.00
Smallwares	\$ 5,000.00
	<u>\$ 39,650.00</u>

Bar/Server Station	
3 Door Bottle Cooler	\$ 1,700.00
4 Well Sink	\$ 600.00
Ice Bins (2)	\$ 1,900.00
6' 4 Tap Keg Cooler	\$ 1,500.00
48" 2 Tap Keg Cooler	\$ 1,000.00
Small Fridge	\$ 1,200.00
Blender	\$ 200.00
Speed Rails	\$ 200.00
Hand Sink	\$ 200.00
Small Wares	\$ 3,000.00
Coffe Maker	\$ 300.00
Hot Choco/Capp Machine	\$ 1,000.00
Tea Machine	\$ 500.00
Ice Machine	\$ 3,500.00
	<u>\$ 16,800.00</u>

Electronics	
Server iPads (4)	\$ 1,200.00
Station Printers (3)	\$ 600.00
Kitchen Printer	\$ 200.00
Credit Card Terminals (4)	\$ 1,000.00
ATM	\$ 1,900.00
55" TV (2)	\$ 2,900.00
46" TV (18)	\$ 8,000.00
Projectors (3)	\$ 5,700.00
Projection Screens (3)	\$ 1,000.00
Matrix	\$ 4,000.00
	<u>\$ 26,500.00</u>

Tables & Chairs	
3.5' Tables (12)	
3.5' Circle Tables (4)	
6' Tables (2)	\$ 4,000.00
30" Hightop Tables (5)	
3.5' Hightop Tables (1)	
3.5' Custom High Tables (5)	
4' Booths (4)	\$ 1,000.00
40" Patio Tables (5)	
Patio Chairs (20)	\$ 600.00
High Bar Chairs (50)	
Table Chairs (80)	\$ 3,000.00
Stools (15)	
	<u>\$ 8,600.00</u>

Total Equipment: \$ 91,550.00

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City of Nebraska City

1409 Central Avenue
Nebraska City, NE 68410-2223

HOME OF ARBOR DAY

Phone: 402-873-5515 Fax: 402-873-5685

REQUEST FOR COUNCIL AGENDA OR PUBLIC INFORMATION / RECORDS

Your request will be reviewed and possibly scheduled for a future meeting,
or forwarded to City Staff for appropriate action*

Name: The Kimmel Foundation
Address: 8555 Executive Woods Drive, Lincoln, NE
Phone #: Representing the foundation:
Email Address: Pat Friedli, 402-873-2209 pat.friedli@gmail.com

CC: Police Dept.: ☐ Street Dept.: ☐ Park Dept.: ☐ Other: ☐

Item Title: Property at 3rd Corso and 8th Street

Explanation of Request:

Because it is so important to, and so close to its property, the Kimmel Harding Nelson Center for the Arts building at 801 3rd Corso, the Kimmel Foundation would like to purchase or lease the "triangle". The Kimmel Foundation has several ideas to improve the property. Maintenance and upkeep of this city property has been lacking and the Kimmel Foundation would like to own or lease the property to restore the property and assure its proper maintenance.

Action Requested of Council:

The Kimmel Foundation would like to purchase or lease the property at 8th Street and 3rd Corso known as "the triangle".

Will this item require the expenditure of funds? Yes: ☐ No: ☐ Estimate \$

Council meetings are held on the 1st & 3rd Mondays of the month. All requests for inclusion on a Council Meeting Agenda must be submitted by 5 P.M. on the Tuesday preceding the Council meeting. Once a request is received, staff will review it and determine if it requires Mayor/Council action, or if the item can be handled by staff.

***You will be notified as to how your request will be handled as soon as possible.**

For staff use only: Action Required.

Examination of Public Records are covered under Neb. Rev. State. §84-712 or other appropriate state statutes.

Fees: \$0.25 per page

Nebraska City



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Nebraska City



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CITY OF NEBRASKA CITY

1409 Central Avenue

Nebraska City, NE 68410-2223

Phone: 402-873-5515

Fax: 402-873-5685



Agenda Information Support Sheet

To: Mayor and Commissioners

Council Meeting: July 5, 2016

Agenda Item: # _____

Submitted By: Grayson Path, City Administrator
Judi Meyer, SENDD

A. Synopsis of Issue:

- a. Judi Meyer with SENDD has completed the necessary paperwork and drafted the necessary letter for the City Council to officially request from NDED an extension to the #14-CIS-003 Project (aka Kearney Hill).
- b. Speaking with Evan Wickersham and JEO, who are designed the project, this process will not be complete until late summer, early fall, at which point bids can be sent out to contractors, but construction will not likely begin until Spring 2017.
- c. The current deadline to have the project completed is November 1, 2016, thus an extension to July 31, 2017 is being requested.
- d. Evan Wickersham is confident that, assuming we can get bids for construction, the project can be completed by that date.

B. Options:

- a. Approve the letter and form requesting an extension from NDED, authorize Mayor to sign cover letter.
- b. Deny the letter and form requesting an extension from NDED, provide City staff with guidance on how to proceed with the Kearney Hill Project.
- c. Make changes to the cover letter that still meet the request form's requirements for an extension request.

C. Fiscal Note:

- a. N/A

D. Recommendation:

- a. Approve the request for extension and authorize the Mayor to sign cover letter.

E. Background:

- a. See the Synopsis of Issue.

Department Heads: Submit this form to Dave Partsch and Grayson Path by 5:00 pm of the day the Agenda meeting is held.

Nebraska City

CITY OF NEBRASKA CITY

1409 Central Avenue

Nebraska City, NE 68410-2223

Phone: 402-873-5515

Fax: 402-873-5685



July 5, 2016

Rebecca Schademmann, Program Representative
Community and Rural Development Division
Nebraska Department of Economic Development
PO Box 94666
Lincoln, NE 68509-4666

**RE: City of Nebraska City grant #14-CIS-003
Request for Contract Amendment – Contract Extension**

Dear Ms. Schademmann:

Please find attached CDBG Contract Amendment Request Form for grant #14-CIS-003.

Extension of Contract

As Mayor, I hereby certify that the Nebraska City, City Council has approved a 9-month contract extension for grant #14-CIS-003.

This contract extension is being requested in order to accommodate both an engineer-requested extension as well as to capitalize on a longer time frame to let construction bids.

No further amendment requests are anticipated. The engineer has met with the City Administrator and Grant Administrator and this proposed project end date was identified as being achievable by all and was agreed to by all parties.

No additional local matching funds are required as a result of this amendment.

Attachments to this request include:

Attachment 1 – This letter from Authorized Official

Attachment 2 – Revised Implementation Schedule – see attached.

Thank you for your consideration of this request.

Sincerely,

Bryan Bequette
Mayor

Enclosures

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Nebraska City

CDBG CONTRACT AMENDMENT REQUEST FORM

This form must be completed and submitted to the Nebraska Department of Economic Development when making a contract amendment request. All attachments identified under the applicable amendment type must be submitted along with this form.

CDBG Grant # 14-CIS-003 Grantee City of Nebraska City

DED Program Representative Rebecca Schademann

Completing this form Name Judi Meyer

Tel. # 402-475-2560

Requesting Amendment # 1 Email jmeyer@sendd.org

Complete the sections for each type of amendment requested and submit this form, along with the required attachments, to the Department.

☒ **Extension of Contract End Date**

Original Contract End Date Tuesday, November 01, 2016

Current Contract End Date including any previously approved extensions Tuesday, November 01, 2016

Proposed Contract End Date July 31, 2017

Required Attachments

Attachment 1: A letter from the Chief Elected Official stating the following:

1. Certification that the local governing body has approved the extension;
2. Identification and reasons for the proposed amendment; including
 - a. Changes to the nature of the project requiring the amendment;
 - b. Steps being taken to avoid any future amendment requests for the same reasons.
3. If additional local matching funds are required as a result of this extension, certification that such funds are available.

Attachment 2: A revised implementation schedule showing when major milestones will be completed for each activity.

Decrease in proposed accomplishments

Original Proposed Accomplishments NA Current Proposed Accomplishments NA

Required Attachments

Attachment 1: A letter from the Chief Elected Official stating the following:

1. Certification that the local governing body has approved the decrease in proposed accomplishments;
2. Identification and reasons for the proposed amendment; including
 - a. Changes to the nature of the project requiring the amendment;
 - b. Steps being taken to avoid any future amendment requests for the same reasons.
3. If additional local matching funds are required as a result of this decrease, certification that such funds are available.

Attachment 2: A revised implementation schedule showing when major milestones will be completed for each activity.

☐ **Amendment to Housing Program Guidelines**

Required Attachments

Attachment 1: Letter from the Chief Elected Official stating the following:

1. Certification that the local governing body has approved the amendment to the housing program guidelines;
2. Identification and reasons for the proposed amendment;
3. If additional local matching funds are required as a result of this amendment, certification that such funds are available.

Attachment 2: If the housing program guidelines amendment will affect major milestones, a revised implementation schedule showing when major milestones will be completed for each activity.

Attachment 3: A complete copy of the proposed revised housing program guidelines.

Nebraska City

☐ Budget Amendment

Original Contract Budget Approved

Activity Name	Activity Number	CDBG Funds	Other Funds	Total Funds
Total				

Proposed Budget After Amendment

Activity Name	Activity Number	CDBG Funds	Other Funds	Total Funds
Total				

Attachment 1: Letter from the Chief Elected Official including:

1. Certification that the local governing body has approved the budget amendment;
2. Identification and reasons for the proposed budget amendment; including
 - a. Changes to the nature of the project requiring the amendment;
 - b. Steps being taken to avoid any future amendment requests for the same reasons.
3. If additional local matching funds are required as a result of this amendment, certification that such funds are available.
4. If the amendment includes a new activity, certification that the activity meets the national objective.

Attachment 2: Minutes from the public hearing held on the proposed amendment (required if reallocating more than 10% of the total original grant amount).

Attachment 3: If the budget amendment will affect major milestones, a revised implementation schedule showing when major milestones will be completed for each activity.

Attachment 4: Certification of re-evaluation of the environmental assessment (this form is included in the CDBG Administration Manual Chapter 6: Environmental Review).

DED Use Only	
Date amendment request received	
Date amendment approved/denied	

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NEBRASKA CDBG GRANTEE IMPLEMENTATION SCHEDULE

PROJECT ACTIVITIES AND MILESTONES

Name of Grantee: Nebraska City CDBG # 14-CIS-003 Program Representative _____

Date of Project Completion (contracted): Nov. 1, 2016 Extended Completion Date: 07/31/17 Page 1 of 2

Project Activity / Milestones	CDBG / LOCAL AMOUNT BUDGETED	2015 1 ST QTR. O N D	2016 2 ND QTR. J F M	2016 3 RD QTR. A M J	2016 4 TH QTR. J A S	2016 5 TH QTR. O N D	2017 6 TH QTR. J F M	2017 7 TH QTR. A M J	2017 8 TH QTR. J A S
Activity: CDBG 0181 Gen Admin	\$20,000	\$1,500	\$2,500	\$1,000	\$1,000	\$4,000	\$4,000	\$5,000	\$1,000
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
a) Obtain contract with SENDD		X							
b) Environmental Review		X	X	X					
c) Grant/Project Administration		X	X	X	X	X	X	X	X
d) Davis Bacon Compliance			X	X	X	X	X	X	X
e) Close out & Monitoring									X
f)									
Activity: CDBG 0010 Acq/Easements	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other	\$20,000	\$0	\$0	\$0	\$20,000	\$0	\$0	\$0	\$0
a) Acquire Easements				X	X	X			
b)									
c)									
d)									
e)									
f)									

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NEBRASKA CDBG GRANTEE IMPLEMENTATION SCHEDULE

PROJECT ACTIVITIES AND MILESTONES

Name of Grantee: Nebraska City		CDBG # 14-CIS-003		Program Representative					
Date of Project Completion (contracted): Nov. 1, 2016		Extended Completion Date: 07/31/17		Page 2 of 2					
Project Activity / Milestones	CDBG / LOCAL AMOUNT BUDGETED	2015 1 ST QTR. O N D	2016 2 ND QTR. J F M	2016 3 RD QTR. A M J	2016 4 TH QTR. J A S	2016 5 TH QTR. O N D	2017 6 TH QTR. J F M	2017 7 TH QTR. A M J	2017 8 TH QTR. J A S
Activity: CDBG	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
0250 Storm Sewers	\$0	\$0	\$0	\$0	\$0	\$0	\$10,000	\$27,000	\$0
Other	\$37,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
a)Construction Bids							X	X	
b)Award							X	X	
Construction Contr.							X	X	
c)Preconstruction							X	X	X
Conference							X	X	
d) Construction							X	X	X
e)Davis Bacon							X	X	X
Compliance							X	X	
f)									
Activity: CDBG	\$200,000	\$0	\$0	\$0	\$0	\$0	\$50,000	\$130,000	\$20,000
0230 St/Bridges	\$0	\$0	\$0	\$0	\$0	\$0	\$24,600	\$60,000	\$13,820
Other	\$138,420	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
a)Engineering				X	X				
Contract									
b)Plans & Specs					X	X	X	X	
Prepared									
c)Construction Bids							X	X	
d)Award							X	X	
Construction Contr.									
e)Preconstruction									
Conference								X	X
f)Construction								X	X
g)Davis Bacon								X	X
Compliance								X	X

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CITY OF NEBRASKA CITY

1409 Central Avenue
Nebraska City, NE 68410-2223
Phone: 402-873-5515
Fax: 402-873-5685



Agenda Information Support Sheet

To: Mayor and Commissioners

Council Meeting: July 2, 2016

Agenda Item: # 9

Submitted By: Alan Viox

A. Synopsis of Issue:

- a. The City of Nebraska City has received a letter of approval from FEMA for the backup generator. The grant agreement is between Nebraska Emergency Management Agency (NEMA) and Nebraska City. The agreement is to provide the City of Nebraska City with federal assistance from the Hazard Mitigation Grant Program.

B. Options:

- a. Approve 75/25 matching grant for new backup generator costing the City \$10,874 splitting the cost between Admin, Fire, EMS and possibly Public Properties budgets.
- b. Reject the grant and purchase the generator costing the City \$43,498.

C. Fiscal Note:

- a. Total cost of the project is \$43,498. The federal share not to exceed \$32,624 or 75% of project cost, with the City's share \$10,874 or 25% of the cost. Council has approved a 95/5 FEMA Fire Grant for \$80,000, our matching share of \$4,000. This grant was not approved by FEMA, this \$4,000 would be used to go towards the 25%.

D. Recommendation:

- a. Recommend the City Council approves the Nebraska Emergency Management Agency (NEMA) Hazard Mitigation Grant Program Application and the Grant Agreement between NEMA and the City of Nebraska City for the 75/25 Cost share for the Backup Emergency Generator.
- b. *Recommended Motion:*
 - i.

E. Background:

- a.

Department Heads: Submit this form to Dave Partsch and Grayson Path by 5:00 pm of the day the Agenda meeting is held.

Nebraska City

U.S. Department of Homeland Security
FEMA Region VII
9221 Ward Parkway, Ste. 300
Kansas City, MO 64114-3323



FEMA

June 21, 2016

Mr. Bryan J. Tuma, Assistant Director
Nebraska Emergency Management Agency
2433 NW 24th Street
Lincoln, Nebraska 68524-1801

Subject: FEMA-DR-4225-NE
Hazard Mitigation Grant Program (HMGP) Project Approval
Subgrantee: Nebraska City
Project #: 0009
Nebraska City Emergency Generator

Dear Mr. Tuma:

This letter serves as notification that the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) has granted approval for the application submitted by Nebraska City for the installation and replacement of a backup generator at City Hall. FEMA will release funds to the state in the amount of \$32,624. The non-federal match requirement of \$10,874 will be provided through local funding.

The milestones included in the application indicate that the time to complete this subgrant will be June 21, 2019. Any delays or extensions regarding this timeframe must be reported to FEMA. The period of performance for the grant ends on June 24, 2019. It is the responsibility of the grantee and subgrantee to ensure all approved activities associated with this subgrant are completed by the end of the period of performance. Any costs incurred prior to the date of this approval or after the period of performance will be disallowed.

A change to the approved statement of work (SOW) requires prior approval from FEMA. The National Environmental Policy Act (NEPA) stipulates that additions or amendments to a HMGP Subgrantee statement of work (SOW) shall be reviewed by all state and federal agencies participating in the NEPA process. NEPA sign-off for all SOW additions or amendments is essential before the revised SOW can be approved by FEMA or implemented by the HMGP Subgrantee.

Quarterly progress reports for HMGP projects are required. Please include this HMGP project in your future quarterly reports.

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Nebraska City

Mr. Tuma
FEMA-DR-4225-NE #0009 Project Approval
Page 2

If you have any questions concerning this correspondence, please contact Maria Maldonado, Hazard Mitigation Assistance Specialist, at (816) 276-5084 or Stacy Robarge-Silkner, Acting Chief, Hazard Mitigation Assistance Branch, at (816) 283-7012.

Sincerely,

MICHAEL R
SCOTT

Digitally signed by MICHAEL R SCOTT
DN: c=US, o=U.S. Government,
ou=Department of Homeland Security,
ou=FEMA, ou=People, cn=MICHAEL R SCOTT,
0.9.2342.19200300.100.1.1=0469761408.FEMA
Date: 2016.06.21 14:00:30 -0500

Michael R. Scott, Director
Mitigation Division

Nebraska City

FEDERAL EMERGENCY MANAGEMENT AGENCY SUMMARY SHEET FOR ASSURANCES AND CERTIFICATIONS		O.M.B. No. 3067-0206 <i>Expires February 28, 2007</i>
Disaster No: DR-4225-NE	CA FOR (Name of Applicant) <div style="text-align: right; padding-right: 50px;">City of Nebraska City</div>	
<p>This summary sheet includes Assurances and Certifications that must be read, signed, and submitted as a part of the Application for Federal Assistance.</p> <p>An applicant must check each item that they are certifying to:</p> <p>Part I <input checked="" type="checkbox"/> FEMA Form 20-16A, Assurances-Nonconstruction Programs</p> <p>Part II <input checked="" type="checkbox"/> FEMA Form 20-16B, Assurances-Construction Programs</p> <p>Part III <input checked="" type="checkbox"/> FEMA Form 20-16C, Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements</p> <p>Part IV <input type="checkbox"/> SF LLL, Disclosure of Lobbying Activities (If applicable)</p> <p>As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the identified attached assurances and certifications.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%; border-top: 1px solid black; text-align: center;"> Typed Name of Authorized Representative </div> <div style="width: 45%; border-top: 1px solid black; text-align: center;"> Title </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%; border-top: 1px solid black; text-align: center;"> Signature of Authorized Representative </div> <div style="width: 45%; border-top: 1px solid black; text-align: center;"> Date Signed </div> </div> <p>NOTE: By signing the certification regarding debarment, suspension, and other responsibility matters for primary covered transaction, the applicant agrees that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by FEMA entering into this transaction.</p> <p>The applicant further agrees by submitting this application that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the FEMA Regional Office entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (Refer to 44 CFR Part 17.)</p>		
<p style="text-align: center;">Paperwork Burden Disclosure Notice</p> <p>"Public reporting burden for this form is estimated to average 1.7 hours per response. Burden means the time, effort and financial resources expended by persons to generate, maintain, retain, disclose, or to provide information to us. You may send comments regarding the burden estimate or any aspect of the form, including suggestions for reducing the burden to: Information Collections Management, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (3067-0206). You are not required to respond to this collection of information unless a valid OMB control number appears in the upper right corner of this form. Please do not send your completed form to the above address.</p>		

FEMA Form 20-16, FEB 01

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City
GRANT AGREEMENT
between
Nebraska Emergency Management Agency (NEMA)
And
City of Nebraska City

PROJECT TITLE: Nebraska City Emergency Generator

GRANT AGREEMENT NO: 4225

PROJECT NO: 0009

FEDERAL TAX ID#: 47-6006287

DUNS No: 07-698-3428

FIPS Code: 131-33705-00

CFDA #: 97.039 (Hazard Mitigation Grant Program)

SCOPE OF WORK

This Grant Assistance Agreement (AGREEMENT) is to provide City of Nebraska City (SUBGRANTEE) with federal assistance from the Hazard Mitigation Grant Program funds for the above-referenced mitigation grant. The federal share shall not exceed \$32,624 or 75% of actual allowable project costs, whichever is less. The SUBGRANTEE shall provide at least \$10,874 (25%) through local non-federal (cash and/or in-kind) sources for actual allowable project costs. These funds are to assist the SUBGRANTEE with completing the approved scope of work in accordance with the work schedule, milestones, and scope of work that was submitted to and approved by the Nebraska Emergency Management Agency (NEMA) and the Federal Emergency Management Agency (FEMA). Any changes to the approved scope of work and/or amount budgeted must be submitted to and approved by NEMA prior to executing the changes. The SUBGRANTEE is required to obtain all necessary permits before construction begins.

AGREEMENTS

NEMA will provide financial oversight and management in the role of GRANTEE based on the grant guidance, the grant financial guide and all other applicable State and federal guidelines. The GRANTEE will provide technical assistance and direction to the SUBGRANTEE on programmatic and financial requirements. The GRANTEE will provide all appropriate documents and forms and make payments to the SUBGRANTEE to complete the approved scope of work.

The GRANTEE is responsible for monitoring SUBGRANTEE activities to provide reasonable assurance that the SUBGRANTEE administers federal awards in compliance with federal and State requirements. Responsibilities include the accounting of receipts and expenditures, cash management and the maintaining of adequate financial records.

Additionally, the SUBGRANTEE will be monitored quarterly by the GRANTEE to ensure that the program goals, objectives, timelines, budgets, and other related program criteria are being met. Monitoring will be accomplished through a combination of quarterly reporting, reviewing of expenditures for reimbursement, and when necessary; on-site monitoring. Monitoring will involve the review and analysis of the financial, programmatic, and administrative issues relative to the program, and will identify areas where technical assistance and other support may be needed.

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City

The SUBGRANTEE will pass appropriate resolutions to assure NEMA that it is participating, and will continue to participate, in the National Flood Insurance Program, if mapped.

The SUBGRANTEE and the SUBGRANTEE's AUTHORIZED REPRESENTATIVE agree to provide all supervision, inspection, accounting, and other services necessary to complete the scope of work from inception to closeout with the requirements set forth below.

I. ACTIVITY COMPLETION TIMEFRAME

The approved activity completion timeframe for this grant is from **6/21/2016 through 6/21/2019**. All work must be completed prior to the activity completion timeframe ending. The SUBGRANTEE shall not incur costs or obligate funds for any purpose pertaining to the operation of the project, program, or activities beyond the expiration date of the activity completion timeframe.

If a time extension is needed it must be requested at least 75 days prior to the activity completion timeframe end date. All requests must be supported by adequate justification submitted to NEMA in order to be processed. This justification is a written explanation of the reason or reasons for the delay; an outline of remaining funds available to support the extended activity completion timeframe; and a description of performance measures necessary to complete the project. Without the justification, extension requests will not be processed.

II. AUTHORITIES AND REFERENCES.

The SUBGRANTEE shall comply with all applicable laws, regulations and policies as defined in the State of Nebraska Hazard Mitigation Administrative Plan. A non-exclusive list of laws and regulations commonly applicable to FEMA grants follows hereto for reference only.

- OMB Circular A-102 – Uniform Administrative Requirements for Grants and Cooperative Agreements with State and Local Governments as implemented in 44 CFR Part 13
- Title 2 CFR Part 225 (OMB Circular A-87) – Cost Principles for State and Local Governments
- OMB Circular A-133 – Audits of States, Local Governments, and Non-Profit Organizations
- Robert T. Stafford Disaster Assistance and Emergency Relief Act (Stafford Act), 42 U.S.C. 5133, as amended by Section 102 of the Disaster Mitigation Act of 2000 (DMA)
- Title 44 of the Code of Federal Regulations (CFR)
- SUBGRANTEE's application that was received and approved by NEMA and FEMA
- State of Nebraska Administrative Plan for the Hazard Mitigation Grant Program

III. GRANT MANAGEMENT SYSTEM

To ensure that federal funds are awarded and expended appropriately, the SUBGRANTEE will establish and maintain a grant management system. The standards for SUBGRANTEE organizations stem from the Office of Management and Budget's (OMB) Uniform Administrative Requirements and Cost Principles. State, local and tribal organizations must follow the uniform administrative requirements standards in OMB Circular A-102, and cost principle standards in OMB Circular A-87. These standards combined with the audit standards provided within OMB Circular A-133, plus the requirements of the federal Cash Management Improvement Act constitute the basis for all policies, processes and procedures set forth in this grant management system for the SUBGRANTEE.

The SUBGRANTEE's grant management system must:

- Include internal controls based on the American Institute for Certified Public Accountant's (AICPA) definitions and requirements in the government-wide administrative requirements and cost principles
- Include a chart of accounts that includes a separate cost center, fund, or accounting codes for each federal grant or program
- Be in compliance with the Cash Management Improvement Act (CMIA), good business processes and Generally Accepted Accounting Principles (GAAP)
- Include procedures to minimize federal cash on hand
- Include the ability to track expenditures on a cash or accrual basis
- Include the ability to track expenditures in both financial and program budgets
- Include procedures to document all grant-related expenditures
- Include procedures to ensure expenditures are eligible and allowable
- Include the ability to fulfill government-required financial reporting forms

IV. PROCUREMENT

This agreement requires that all procurement is executed by the SUBGRANTEE. Procurement standards must be in accordance with the written adopted procedures of the SUBGRANTEE, provided that the local procurement standards conform to applicable State and Federal law and the standards identified in the 44 CFR. The SUBGRANTEE will ensure that every purchase order or other contract includes any clauses required by Federal statutes and executive orders and their implementing regulations.

V. AUDIT

SUBGRANTEE must comply with the requirements of the Single Audit Act Amendments of 1996 and the Office of Management and Budget (OMB) Circular A-133. Reference: Catalog of Federal Domestic Assistance (CFDA) 97.039 Hazard Mitigation Grant Program.

VI. PAYMENT REQUEST PROCESS

Payments to SUBGRANTEES are based on eligible expenditures that are specifically related to the approved grant budget and scope of work. SUBGRANTEES can request **Reimbursement** for allowable expenditures already paid at anytime during the activity completion timeframe.

Payments shall be limited to the documented cash requirements submitted by the SUBGRANTEE. The SUBGRANTEE must submit a completed Payment Request Form and provide supporting documentation of eligible project costs to receive payment of funds.

Reimbursement requests must include payment verification (i.e. paid invoices, receipts, payroll records with personnel activity reports, cancelled checks, general ledger print outs, etc.).

Payment of funds will not be made to a SUBGRANTEE until NEMA has this grant agreement signed and on file.

VII. Match Verification

The maximum federal share to this mitigation grant cannot exceed 75% of eligible grant expenditures. Therefore, the matching funds (cash and in-kind) must be at least 25% of eligible grant expenditures. The subgrantee is responsible for submitting proof of the local **non-federal** match that was used for their mitigation grant to NEMA. Expenditures must be in accordance with the approved scope of work and budget and in accordance with the 44 Code of Federal Regulations (CFR), Section 13.24, "Matching or cost sharing"

Cash match can be money contributed to the subgrantee by the subgrantee, other public agencies and institutions, private organizations and individuals as long as it comes from a non-federal source. Cash spent must be for allowable costs in accordance with the SUBGRANTEE's approved scope of work and budget and must be applicable to the period to which the cost sharing or matching requirement applies.

In-kind match must comply with the requirements of the 44 CFR, Section 13.24 (matching or cost sharing). The value of in-kind contributions is also applicable to the period to which the cost sharing or matching requirement applies. The in-kind match provided must be documented by the third party contributing the in-kind services. The in-kind match must be specifically stated in the SUBGRANTEE's scope of work and budget before in-kind match will be allowed to match any mitigation grant. Documentation can be a letter (on letterhead) from the third party stating the scope of their work, what is being contributed as it relates to the scope of work, the value, a statement to the effect that the value is normally charged, and a statement that the value is being waived on behalf of the subgrantee to meet the matching requirements to the subgrantee's mitigation grant or a spreadsheet detailing in-kind contributions certified by the Authorized Representative.

If the local match is insufficient to satisfy the local match requirements for receiving all available federal funds, the awarded federal funds will be reduced accordingly so as not to exceed the maximum federal share allowed under this award.

VIII. REPORTING REQUIREMENTS

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City

The mitigation grant requires quarterly programmatic and financial reporting and progress relative to the approved scope of work. SUBGRANTEES are required to complete the quarterly progress report forms that are provided by NEMA and submit them by the 15th day following each federal fiscal quarter. (See administrative plan for specific date.)

WAIVERS

No conditions or provisions of this AGREEMENT can be waived unless approved by NEMA and the SUBGRANTEE, in writing. Unless otherwise stated in writing, NEMA's failure to insist upon strict performance of any provision of this AGREEMENT, or to exercise any right based upon a breach, shall not constitute a waiver of any right or obligation specified under this AGREEMENT.

AMENDMENTS AND MODIFICATIONS

This AGREEMENT may be amended or modified in reference to the grant funds provided, administrative procedures, or any other necessary matter, but not to take effect until approved, in writing, by NEMA and the SUBGRANTEE.

COMPLIANCE, TERMINATION AND OTHER REMEDIES

Unless otherwise stated in writing, NEMA requires strict compliance by the SUBGRANTEE and its authorized representative(s) with the terms of this AGREEMENT, and the requirements of any applicable local, state and federal statute, rules, regulations; particularly those included in the Assurances attached to this grant agreement.

NEMA may suspend or terminate any obligation to provide funding or demand return of grant funds, following notice from NEMA, if the SUBGRANTEE fails to meet any obligations under this AGREEMENT or fails to make satisfactory progress toward administration or completion of said project.

The SUBGRANTEE understands and agrees that NEMA may enforce the terms of this AGREEMENT by any combination or all remedies available to NEMA under this AGREEMENT, or under any other provision of law, common law, or equity.

INDEMNIFICATION

1. It is understood and agreed by NEMA and the SUBGRANTEE and its agents that this AGREEMENT is solely for the benefit of the parties to this grant and gives no right to any other party.

2. The SUBGRANTEE, on behalf of itself and its successors and assigns, agrees to protect, save, and hold harmless NEMA and the State of Nebraska, and their authorized agents and employees, from all claims, actions, costs, damages, or expenses of any nature whatsoever by reason of the negligent acts, errors, or omissions of the SUBGRANTEE or its authorized representative, its contractors, subcontractors, assigns, agents, licensees, arising out of or in connection with any acts or activities authorized by this AGREEMENT. The SUBGRANTEE's obligation to protect, save, and hold harmless as herein provided shall not extend to claims or causes of action for costs, damages, or expenses caused by or resulting from the negligent acts, errors, or omissions of NEMA, the State of Nebraska, or any of their authorized agents or employees.

3. The SUBGRANTEE further agrees to defend NEMA, the State of Nebraska, and their authorized agents and employees against any claim or cause of action, or to pay reasonable attorney's fees. City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City

incurred in the defense of any such claim or cause of action, as to which the SUBGRANTEE is required to protect, save, or hold harmless said parties pursuant to paragraph 2 of this part. The SUBGRANTEE's obligation to defend, or to pay attorney's fees for the defense of such claims or causes of action as herein provided, shall not extend to claims or causes of action for costs, damages, or expenses caused by or resulting from the negligent acts, errors, or omissions of NEMA, the State of Nebraska, or any of their authorized agents or employees.

ACKNOWLEDGMENTS

The SUBGRANTEE shall include, in any public or private release of information regarding the project, language that acknowledges the funding contribution through NEMA by FEMA.

INDEPENDENT CONTRACTOR STATUS OF APPLICANT

The SUBGRANTEE, its officers, employees, agents and council members shall all perform their obligations under this AGREEMENT as an independent contractor and not in any manner as officers, employees or agents of NEMA or the State of Nebraska. All references herein to the SUBGRANTEE shall include its officers, employees, city council/board members, and agents.

RESPONSIBILITY FOR PROJECT

While NEMA undertakes to provide technical assistance to the SUBGRANTEE and its authorized representative in the administration of the project, said project remains the sole responsibility of the applicant in accomplishing grant objectives and goals. NEMA undertakes no responsibility to the SUBGRANTEE, or any third party, other than what is expressly set out in this AGREEMENT.

ENTIRE GRANT AGREEMENT

This AGREEMENT sets forth the entire AGREEMENT between NEMA and the SUBGRANTEE with respect to subject matter hereof. Commitments, warranties, representations and understandings or agreements not contained, or referred to, herein or amended thereto shall not be binding on either NEMA or the SUBGRANTEE. Except as may be expressly provided herein, no alteration of any of the terms or conditions of this AGREEMENT will be effective without written consent of both parties.

IN WITNESS WHEREOF, NEMA and the SUBGRANTEE have executed this AGREEMENT by the signatures of authorized persons of both entities and on the dates indicated below:

**Nebraska Emergency
Management Agency**

Bryan J. Tuma, Governors Authorized Representative

Authorized Representative

Date

Date

Signature of Alternate Authorized Representative (optional)

Date

Nebraska City
Hazard Mitigation Grant Program

Subrecipient Reporting Worksheet

Section A - Federal Award Information

Page 1 of 3

Federal Award Identifier Number (FAIN)	4225DRNEP0000000	
Federal Awarding Agency Name	Federal Emergency Management Agency	Agency Code 7022
CFDA Program Number	CFDA # 97.039	Hazard Mitigation Grant Program
Award Date	6/21/2016	
Sub-grant amount from this Award	\$32,623.50	

Section B - Subrecipient Information

Subrecipient DUNS Number	07-698-3428	
Subrecipient Name	Nebraska City, City of	
Subrecipient Address		
Physical	1409 Central Avenue	
Mailing	0	
City	Nebraska City	
State	Nebraska	
County		
Zip Code + 4	68410-2223	
Congressional District		
Amount of Subgrant	\$32,623.50	
Date of FEMA project Approval	6/21/2016	
Subrecipient Principal Place of Performance	Same as above	
Physical	1409 Central Avenue	
Mailing	0	
City	Nebraska City	
State	Nebraska	
County	0	
Zip Code + 4	68410-2223	
Congressional District	0	
Subgrant Number	0009	
Sub-grant Project Description		

Section C - Federal Award Information

Page 2 of 3

1. In your business or organization's previous fiscal year, did your business organization (including parent organization, all branches, and all affiliates worldwide) receive 80% or more of your annual gross revenues in the U.S. federal contracts, sub-contracts, loans, grants, subgrants, and/or cooperative agreements AND \$25,000,000 or more in annual gross revenues from U.S. federal contracts, sub-contracts, loans, grants, sub-grants, and/or cooperative agreements?

No You are not required to provide officer compensation information

You are not required to provide officer compensation information

N/A

Information Not Required	Information Not Required	Information Not Required
Information Not Required	Information Not Required	Information Not Required
Information Not Required	Information Not Required	Information Not Required
Information Not Required	Information Not Required	Information Not Required

Hazard Mitigation Grant Program

Information Not Required Information Not Required Information Not Required

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City
Hazard Mitigation Grant Program

Section D - Federal Award Information (Continuation)
state funds).

Page 3 of 3

Federal Award Identifier Number (FAIN) Federal Awarding Agency Name CFDA Program Number Award Date Sub-grant amount from this Award	
Federal Award Identifier Number (FAIN) Federal Awarding Agency Name CFDA Program Number Award Date Sub-grant amount from this Award	
Federal Award Identifier Number (FAIN) Federal Awarding Agency Name CFDA Program Number Award Date Sub-grant amount from this Award	
Federal Award Identifier Number (FAIN) Federal Awarding Agency Name CFDA Program Number Award Date Sub-grant amount from this Award	
Amount funded from Federal Grants	\$32,623.50 <i>total of grants in Section A</i>
Amount funded from State General Funds	
Amount funded from State Cash Funds	
Amount funded from Federal Cash Funds	<i>fed sources other than grants</i>
Total amount funded from all sources	\$32,623.50 <i>should equal total of sub-grant</i>
Authorized Point of Contact Signature ----->	
<div style="display: flex; justify-content: space-between;"><div><i>Sub-Grant Transparency Act 2010 Req Form</i></div><div><u>Please Sign and return to NEMA</u></div></div>	

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Nebraska City

NEBRASKA HMGP ADMINISTRATIVE PLAN

APPENDIX 1
ATTACHMENT 9

State of Nebraska Hazard Mitigation Grant Program Subgrantee Quarterly Progress Report					
SUBGRANT AND SUBGRANTEE INFORMATION					
Grant (Disaster) Number:		4225		Reporting Period	
Subgrant (Project) Number:		0009		Report Date	
				4/1/16	7/15/16
Project Title: Nebraska City Emergency Generator					
Project Description: Emergency Generator					
SUBGRANTEE POINT OF CONTACT INFORMATION					
Name:		Alan Viox		Title:	
Phone Number:		402-873-6509		Email:(alt POC)	
				Fire Chief	
				afviox@nebraskacity.com	
PROJECT COSTS					
Select Cost Code:		(1) Cost Unchanged			
		Total Project	Federal Share	Non-Federal Share	CFDA # 97.039
Total Amount Awarded:		\$43,498.00	\$32,623.50	\$10,874.50	
Total Amount Requested to Date:			\$0.00	\$0.00	
Total Amount Received to Date:			\$0.00	\$0.00	
Total Reimbursement Request This Quarter (See Reimbursement Request Form)			\$0.00	\$0.00	
APPROVED WORK SCHEDULE (PROVIDED IN APPLICATION)					
Select Overall Status Code:		(1) On Schedule			
Percentage Complete:		5%			
Activity Completion Due Date:		January 0, 1900			
Revised Activity Completion Due Date (If applicable):					
Milestone Description	Approved Application Timeframe Quantity	Approved Application Timeframe Quantity Unit of Measure	Select Milestone Status Code	Due Date	Actual Completion Date
1 Initial grant agreement process	1	Months		1/0/1900	1/0/00
2 Permit	3	Months		3/31/1900	1/0/00
3 Site preparation	6	Months		9/30/1900	1/0/00
4 order and delivery	9	Months		6/30/1901	1/0/00
5 pad installation	3	Months		9/30/1901	1/0/00
6 install generator	6	Months		3/30/1902	1/0/00
7 test and inspection	2	Months		5/30/1902	1/0/00
8 account reconciliation	3	Months		8/30/1902	1/0/00
9 final reimbursement	2	Months		10/30/1902	1/0/00
10 project closeout	1	Months		11/30/1902	1/0/00
11	0	Months		11/30/1902	1/0/00
12	0	Months	0	11/30/1902	1/0/00
Total Project Duration	36	Months		11/30/1902	1/0/00
Provide a brief explanation of project activities to date; include any delays or cost changes that would affect project completion.					
If delays have been encountered, please select from the list below whether an extension is anticipated. Please note, selection does not guarantee an extension approval will be granted. All funds incurred after the approved activity completion due date are unallowable. See extension worksheet for further details.					

Signature (Authorized Representative)
By signing, you certify that all information above is true and correct.

Date

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Nebraska City

NEBRASKA HMGP ADMINISTRATIVE PLAN

APPENDIX 1
ATTACHMENT 9

Cell: A2

Comment: General Instructions to complete the HMGP Quarterly Performance Report:
Yellow Cells indicate sub-header information.

Green Cells indicate entry elements required to evaluate the progress of approved HMGP subgrants.

Each element required reflects bolded text and includes a red triangle in the cell title preceding an entry field. To obtain instructions for each element, hover your mouse over the red triangle and a comment explaining the element will appear. A compilation of comments, titled for each cell, will print at the end of the progress report. To disable printing comments, go to "File", "Page Setup", then select the tab titled "Sheet". In the drop down menu provided for "Comments" select, "(NONE)".

Requirements for requesting extensions and reimbursements have been built into this workbook for the convenience of the subgrantee in meeting requirements for such requests.

A worksheet titled "Extension Request Form" is provided for the convenience of subgrantees experiencing delays in completing an approved project/subgrant.

A worksheet titled "Request for Reimbursement Form" is provided for convenience of the subgrantee requesting a reimbursement. A list of documents to submit in attachment of this request is identified in the request worksheet.

For any questions or concerns in completing these forms, please contact the Nebraska Emergency Management Agency's State Hazard Mitigation Officer, Sheila Hascall at (402) 471-7217 or email at sheila.hascall@nebraska.gov.

Cell: A3

Comment: Grant (Disaster) Number Instructions:
Enter the disaster number found on the FEMA approval letter for the subgrant/project you are reporting progress.

Cell: E3

Comment: Reporting Period Instructions:
Enter the start date and end date of the quarterly reporting period being reported this quarter.
Reporting periods are for the federal Fiscal Year (FY); as shown below in an example for FY-2009
Period Start Date – Period End Date
Qtr 1: 10/01/08 through 12/31/08 (reports due to NEMA on 01/15/2009)
Qtr 2: 01/01/09 through 03/31/09 (reports due to NEMA on 04/15/2009)
Qtr 3: 04/01/09 through 06/30/09 (reports due to NEMA on 07/15/2009)
Qtr 4: 07/01/09 through 09/30/09 (reports due to NEMA on 10/15/2009)

Cell: G3

Comment: Report Date Instructions:
Enter the date this report was completed; see reporting period instructions for due dates associated with the quarter being reported.

Cell: A4

Comment: Subgrant (Project) Number Instructions:
Enter the subgrant number which is the project number identified on the FEMA approval letter for the project progress being reported.

Cell: A5

Comment: Project Title Instructions:
Enter the project title of the subgrant this report is for; this should be the project title found on the application for funding which may also be found on the project title provided on FEMA's approval letter.

Cell: A6

Comment: Project Description Instructions:
Enter a short description of the project being reported. Examples are provided below for your convenience.
* Acquisition and demolition of 15 residential and 5 commercial structures in the floodway.
* Construction of a safe-room in the city of sample elementary school.
* Construct 15 electrical dead-end storm structures across 100 miles of transmission line.

Cell: A8

Comment: Name Instructions:
Enter the name of the subgrantee point of contact. This person is identified on the subgrant application, unless changed and prior approval was granted. The State Hazard Mitigation Officer may contact the person identified to resolve any questions or concerns as a result of the subgrant activity.

Cell: E8

Comment: Title Instructions:

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Nebraska City

NEBRASKA HMGP ADMINISTRATIVE PLAN

APPENDIX 1 ATTACHMENT 9

Enter the job title of the subgrantee point of contact identified under Name.

Cell: A9

Comment: Phone Number Instructions:

Enter the phone number the State Hazard Mitigation Officer may use to contact the Subgrantee Point of Contact identified under Name.

Cell: E9

Comment: Email Instructions:

Enter the email the State Hazard Mitigation Officer may use to contact the Subgrantee Point of Contact identified under Name.

Cell: A11

Comment: Select Cost Code Instructions:

Select from the drop down menu to report the status of costs for this project. The menu lists the following cost code options:

(1) Cost Unchanged,

Select "Cost Unchanged" if there has been no change in the approved budget and it is anticipated that costs will not be changed prior to the end of the activity completion timeframe. If cost incurred has not changed, but is anticipated please provide an explanation in the description box below.

(2) Cost Overrun,

Select "Cost Overrun" if there has been or will be a cost overrun incurred as a result of performing the approved scope of work for the project/subgrant. Using the description box below, you must provide an explanation if a cost overrun for the activity is evident. Please reference the HMGP Administrative Plan and/or 44 CFR part 206.438(b) for cost overrun procedures and regulations.

(3) Cost Underrun

Select "Cost Underrun" if there has been or will be a cost underrun incurred as a result of performing the approved scope of work for the subgrant. Using the description box below, you must provide an explanation if a cost underrun for the activity is evident. Please reference the HMGP Administrative Plan for cost underrun procedures.

Cell: A13

Comment: Total Amount Awarded Instructions:

Enter the total project amount, the federal share, the non-federal share and any subgrantee administrative allowance awarded for the approved subgrant/project.

Cell: A14

Comment: Total Amount Requested to Date Instructions:

Enter the total amount of funds requested for reimbursement as of the end of the reporting period broken out by each of the following; the total project amount, the federal share, the non-federal share, and the subgrantee administrative allowance.

Cell: A15

Comment: Total Amount Received to Date Instructions:

Enter the total amount of funds reimbursed as of the end of the reporting period. The total project amount, total federal share, total non-federal share, and total subgrantee administrative allowance should be identified for reimbursements received.

Cell: A16

Comment: Total Reimbursement Request This Quarter Instructions:

Enter the total project, the federal share, and the non-federal share for costs expended to date in performance of the approved scope of work being requested for reimbursement this quarter. Use the tab below titled, "Reimbursement Request Form", to complete the request for reimbursement.

Cell: A18

Comment: Select Overall Status Code Instructions:

Select from the drop down menu to report the status of the approved scope of work for the reporting period. The menu lists the following Status Code options:

(1) On-Schedule,

Select "On-Schedule" if the overall performance of the scope of work is on target to be completed within the approved work schedule and activity completion timeframe.

(2) Suspended,

Select "Suspended" if the overall performance of the subgrant has been suspended (a suspended subgrant is one remedy for non-compliance which the federal awarding agency may take if a grantee or subgrantee materially fails to comply with any term of an award as outlined in 44 CFR part 13.43 Enforcement.)

(3) Delayed,

Select "Delayed" and describe below if any problems, delays, or adverse conditions exist which have or will impair the ability to meet the approved scope of work.

(4) Cancelled,

Select "Cancelled" if the approved project has been cancelled and provide an explanation in the box below.

(5) Completed.

Select "Completed" when all activities under the approved scope of work have been completed.

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Nebraska City

NEBRASKA HMGP ADMINISTRATIVE PLAN

APPENDIX 1 ATTACHMENT 9

Cell: A19

Comment: Percentage Complete Instructions:
Identify the percentage of work completed for the reporting period.

Cell: A20

Comment: Activity Completion Due Date Instructions:
Enter the activity completion due date. The date by which a subgrantee must complete an activity funded under a HMGP grant. This is the subgrant equivalent of a period of performance. It is the period of time during which the subgrantee is expected to complete activities including plans, and liquidate HMGP program funds. HMGP program guidance limits individual activity completion timeframes to three years.

Cell: A21

Comment: Revised Activity Completion Due Date Instructions (If applicable):
Enter the revised activity completion due date if an extension has been granted by FEMA. Enter "N/A" (Not Applicable) if an extension has not been granted.

Cell: A22

Comment: Milestone Description Instructions:
Enter each milestone as identified in the approved HMGP application, work schedule section. Any change in scope of work or work schedule requires prior approval by FEMA.

Cell: C22

Comment: Approved Application Timeframe Instructions:
Enter the approved application timeframe. This is the timeframe identified in the approved work schedule section of the HMGP application associated with each milestone described.

Cell: D22

Comment: Approved Application Timeframe Instructions:
Enter the approved application timeframe. This is the timeframe identified in the approved work schedule section of the HMGP application associated with each milestone described.

Cell: E22

Comment: Select Milestone Status Code Instructions:
Select from the drop down menu to report the status of each approved milestone identified in the application to complete the scope of work for the reporting period. The menu lists the following Status Code options:
(1) On-Schedule,
Select "On-Schedule" for each milestone that is on target to be completed within the approved due date calculated from the timeframe identified in the approved work schedule.
(2) Suspended,
Select "Suspended" for all milestones in the approved work schedule if the overall project has been suspended (a suspended subgrant is one remedy for non-compliance which the federal awarding agency may take if a grantee or subgrantee materially fails to comply with any term of an award as outlined in 44 CFR part 13.43 Enforcement.)
(3) Delayed,
Select "Delayed" and describe below if any problems, delays, or adverse conditions exist which have or will impair the ability to meet each milestone within the approved work schedule.
(4) Cancelled,
Select "Cancelled" for each milestone within the approved project which has been cancelled and provide an explanation in the box below.
(5) Completed,
Select "Completed" for each milestone that has been completed.

Cell: F22

Comment: Due Date Instructions:
Enter the due date associated with each milestone identified. The due date is calculated using the approved work schedule by calculating the number of days or months identified in the 'timeframe' associated with each milestone from the date FEMA approved the project.

Cell: G22

Comment: Actual Completion Date Instructions:
Enter the actual day each milestone identified was completed.

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Nebraska City

NEBRASKA HMGP ADMINISTRATIVE PLAN

APPENDIX 1
ATTACHMENT 9

State of Nebraska Hazard Mitigation Grant Program Reimbursement Request Form				
SUBGRANT AND SUBGRANTEE INFORMATION				
Grant (Disaster) Number:	4225	Select Payment Request	Partial	
Subgrant (Project) Number:	0009	Payment Request #	1	
Project Title:	Nebraska City Emergency Generator			
Project Description:	Emergency Generator			
SUBGRANTEE POINT OF CONTACT INFORMATION				
Name:	Alan Viox	Title:	Fire Chief	
Phone Number:	402-873-6509	Email:	afviox@nebraskacity.co	
PROJECT COSTS				
Select Cost Code:	(1) Cost Unchanged			
Justification for Change:				
	Total Project Amount	Federal Share Amount	Non-Federal Share Amount	<u>CFDA # 97.039</u>
Total Amount Awarded:	\$43,498.00	\$32,623.50	\$10,874.50	
Total Amount Requested to Date:		\$0.00	\$0.00	
Total Amount Received to Date:		\$0.00	\$0.00	
Total Reimbursement Request:		\$0.00	\$0.00	

Signature (Authorized Representative)

Date

By signing, you certify that all information above is true and correct and that all reported costs have been incurred in compliance with federal laws and local procurement policies and payment request has not been previously requested

* Request for Reimbursement must include payment verification (i.e. paid invoices, receipts, payroll records with personnel activity reports, cancelled checks, general ledger printouts, ect.)

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Nebraska City

NEBRASKA HMGP ADMINISTRATIVE PLAN

APPENDIX 1 ATTACHMENT 9

Cell: A3

Comment: Grant (Disaster) Number Instructions:

Enter the disaster number found on the NEMA approval letter for the subgrant/project you are reporting progress.

Cell: D3

Comment: Payment request Instructions:

Partial: Indicates partial payment for the overall grant award is being requested

Final: Indicates this will be the final request for funding from the subgrantee against the award

Cell: A4

Comment: Subgrant (Project) Number Instructions:

Enter the subgrant number which is the project number identified on the NEMA approval letter for the project progress being reported.

Cell: A5

Comment: Project Title Instructions:

Enter the project title of the subgrant this report is for; this should be the project title found on the application for funding which may also be found on the project title provided on NEMAs approval letter.

Cell: A6

Comment: Project Description Instructions:

Enter a short description of the project being reported. Examples are provided below for your convenience.

* Acquisition and demolition of 15 residential and 5 commercial structures in the floodway.

* Construction of a safe-room in the city of sample elementary school.

* Construct 15 electrical dead-end storm structures across 100 miles of transmission line.

Cell: A8

Comment: Name Instructions:

Enter the name of the subgrantee point of contact. This person is identified on the subgrant application, unless changed and prior approval was granted. The State Hazard Mitigation Officer may contact the person identified to resolve any questions or concerns as a result of the subgrant activity.

Cell: D8

Comment: Title Instructions:

Enter the job title of the subgrantee point of contact identified under Name.

Cell: A9

Comment: Phone Number Instructions:

Enter the phone number the State Hazard Mitigation Officer may use to contact the Subgrantee Point of Contact identified under Name.

Cell: D9

Comment: Email Instructions:

Enter the email the State Hazard Mitigation Officer may use to contact the Subgrantee Point of Contact identified under Name.

Cell: A11

Comment: Select Cost Code Instructions:

Select from the drop down menu to report the status of costs for this project. The menu lists the following cost code options:

(1) Cost Unchanged,

Select "Cost Unchanged" if there has been no change in the approved budget and it is anticipated that costs will not be changed prior to the end of the activity completion timeframe. If cost incurred has not

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changed, but is anticipated please provide an explanation in the 'Justification for Change' box below.

(2) Cost Overrun,

Select "Cost Overrun" if there has been or will be a cost overrun incurred as a result of performing the approved scope of work for the project/subgrant. Using the 'Justification for Change' box below, you must provide an explanation if a cost overrun for the activity is evident. Please reference the HMGP Administrative Plan and/or 44 CFR part 206.438(b) for cost overrun procedures and regulations.

(3) Cost Underrun

Select "Cost Underrun" if there has been or will be a cost underrun incurred as a result of performing the approved scope of work for the subgrant. Using the 'Justification for Change' box below, you must provide an explanation if a cost underrun for the activity is evident. Please reference the HMGP Administrative Plan for cost underrun procedures.

Cell: A12

Comment: Justification for Change:

Provide brief narrative to justify cost change.

Cell: A14

Comment: Total Amount Awarded Instructions:

Enter the total project amount, the federal share, the non-federal share and any subgrantee administrative allowance awarded for the approved subgrant/project.

Cell: A15

Comment: Total Amount Requested to Date Instructions:

Enter the total amount of funds requested for reimbursement as of the end of the reporting period broken out by each of the following; the total project amount, the federal share, the non-federal share, and the subgrantee administrative allowance.

Cell: A16

Comment: Total Amount Received to Date Instructions:

Enter the total amount of funds reimbursed as of the end of the reporting period. The total project amount, total federal share, total non-federal share, and total subgrantee administrative allowance should be identified for reimbursements received.

Cell: A17

Comment: Total Reimbursement Request:

Enter the total project, the federal share, and the non-federal share for costs expended to date in performance of the approved scope of work being requested for reimbursement.

Nebraska City

State of Nebraska Hazard Mitigation Grant Program Subgrantee Extension Request Form CONSIDERATIONS AND CRITERIA FOR REQUESTING A TIME EXTENSION

- 1 If unable to complete the project within the approved activity completion timeframe, the subgrantee must submit a formal written request for a time extension with justification to the State Hazard Mitigation Officer. Provided below are criteria which must be completed to facilitate the review of the extension request.
- 2 This request must be received by FEMA no later than 60 days prior to the expiration of the activity completion timeframe, therefore requests must be submitted to NEMA within 75 days of the expiration.
- 3 Requests for time extensions will be considered but will not be granted automatically and must be supported with adequate justification in order to be processed.
- 4 Failure to submit an extension request will result in a de-obligation of any funds not disbursed by the grantee within the approved activity completion timeframe. A subgrantee/grantee may not expend FEMA funds after the expiration of the grant performance period unless an extension is approved by FEMA.
- 5 The justification is a written explanation of the reason or reasons for the delay; an outline of the remaining project funds available to support the extended performance period; and a description of performance measures necessary to complete the project. Without adequate justification, extension requests will not be processed.
- 7 Verification is required to ensure "NO CHANGE TO THE SCOPE OF WORK (SOW)". A change to the approved SOW requires prior approval from FEMA. Any costs incurred as a result of an un-authorized SOW change will be disallowed.

SUBGRANT AND SUBGRANTEE INFORMATION

SUBGRANT INFORMATION		SUBGRANTEE POINT OF CONTACT INFORMATION	
Grant (Disaster):	4225	Name:	Alan Viox
Subgrant (Project):	0009	Title:	Fire Chief
Project Title:	Nebraska City Emergency	Phone:	402-873-6509
Project Description:	Emergency Generator	Email:(Alt POC):	afviox@nebraskacity.com

(1) STATUS OF ON-GOING ACTIVITY

Select Overall Status:	(1) On Schedule
Percentage of Completion:	0%
Identify any prior change requests submitted but not yet approved:	None

(2) REASONS FOR DELAY

Provide a brief description below of circumstances encountered in project non-completion.
For additional justification, provide a separate sheet and attach.

(3) PROJECT COMPLETION

APPROVED WORK SCHEDULE (PROVIDED IN APPLICATION)

Milestone Description	Approved Application Timeframe Quantity	Approved Application Timeframe Quantity Unit of Measure	Milestone Status Code	Due Date	Revised Due Date (Requested)	Actual Completion Date
1 Initial grant agreement process	1	Months	0	1/0/1900	1/0/1900	1/0/1900
2 Permit	3	Months	0	3/31/1900	1/0/1900	1/0/1900
3 Site preparation	6	Months	0	9/30/1900	1/0/1900	1/0/1900
4 order and delivery	9	Months	0	6/30/1901	1/0/1900	1/0/1900
5 pad installation	3	Months	0	9/30/1901	1/0/1900	1/0/1900
6 install generator	6	Months	0	3/30/1902	1/0/1900	1/0/1900
7 test and inspection	2	Months	0	5/30/1902	1/0/1900	1/0/1900
8 account reconciliation	3	Months	0	8/30/1902	1/0/1900	1/0/1900
9 final reimbursement	2	Months	0	10/30/1902	1/0/1900	1/0/1900
10 project closeout	1	Months	0	11/30/1902	1/0/1900	1/0/1900
11	0	0	0	11/30/1902	1/0/1900	1/0/1900
12	0	0	0	11/30/1902	1/0/1900	1/0/1900
Total Project Duration	36	Months	0	11/30/1902	1/0/1900	1/0/1900

REVISED WORK SCHEDULE (IF NECESSARY)

Identify additional objectives/milestones (and associated completion dates) necessary to complete the project.

	Milestone Description	Timeframe	
		Start Date	End Date
1			
2			
3			

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Nebraska City

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11			
12			
13			

Signature (Authorized Representative)

Date

By signing, you certify the project will be completed within the extended performance period without modifications to the approved statement of work and work will be completed in accordance with appropriate Program statute, regulation, and Grant Award Agreement Articles, if the extension is granted.

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